

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  RSA 1 LIMITED PARTNERSHIP	DOCKET NO. 199 IAC 39.2(4)
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**ORDER DESIGNATING ELIGIBLE CARRIER**

(Issued October 22, 2002)

On September 27, 2002, RSA 1 Limited Partnership (RSA 1) filed with the Utilities Board (Board) an application for universal service eligible telecommunications carrier (ETC) status in Iowa pursuant to 199 IAC 39.2(4). No objections have been filed regarding this application.

Board rule 39.2 provides a means by which the Board can designate Iowa telecommunications companies to be eligible to receive funding from the universal service fund, as defined by the Telecommunications Act of 1996, 47 U.S.C. § 254. Under the Act (and Federal Communications Commission (FCC) regulations implementing the Act), the Board must determine that a carrier meets the following service requirements before it may be designated an eligible carrier as set forth in rule 39.2(4):

- 1) Offer the services supported by the federal universal service fund;
- 2) Offer the services using its own facilities or a combination of its own facilities and resale (47 C.F.R. § 54.201(c) provides that "own facilities" includes purchased unbundled network elements);

- 3) Advertise the availability of the supported services; and,
- 4) Offer the services throughout the designated service area.

An ETC must also offer a minimum amount of local exchange service, defined in usage minutes, provided with no additional cost to customers. See FCC Order No. 98-272, October 26, 1998. See also 199 IAC 39.2(1)"b." The FCC has not yet quantified a minimum amount of local usage required to be included in a universal service offering, but has initiated a separate rule making proceeding to address this issue. Id. Any minimum local usage requirements established by the FCC as a result of that rule making would be applicable to all designated ETCs. The Board understands that RSA 1 will comply with any and all minimum local usage requirements adopted by the FCC. The Board also understands that until the FCC establishes a minimum requirement, RSA 1 will offer at least one universal service offering with unlimited local calling.

In its request for designation, RSA 1 states that it satisfies each of these requirements. Based upon those unopposed representations and the company's commitment to follow the minimum local usage requirements when adopted by the FCC, the Board finds that RSA 1 offers the services supported by the federal universal service fund, using its own facilities or a combination of its own facilities and resale of the facilities of another carrier. The Board finds that RSA 1 advertises and offers the services throughout its service area as described in Exhibit "A," which will be its designated service area for purposes of the universal service fund. The Board finds these commitments by RSA 1 adequate to assure that public interest concerns will be satisfied.

The Board also notes that pursuant to a recent federal mandate, RSA 1 is required to file a certification regarding its use of universal service funds with the Board. This filing will be made pursuant to the Board's recently adopted rule 199 IAC 22.2(7), as described in Docket No. RMU-01-14.

**IT IS THEREFORE ORDERED:**

1. Eligible telecommunications carrier status is granted to RSA 1 Limited Partnership as requested in its application filed September 27, 2002, subject to the voluntary commitments regarding the local usage requirement as described in the body of this order. The designated service area for RSA 1 Limited Partnership shall be the service territories documented in Attachment "A" of the application, attached to and incorporated by reference in this order.

2. The Executive Secretary of the Utilities Board shall mail copies of this order to RSA 1 Limited Partnership, the Universal Service Administration Company, the Federal Communications Commission Universal Service Branch, and the Federal Communications Commission Office of the Secretary.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 22<sup>nd</sup> day of October, 2002.